

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

IN RE:  
Elaine Steele

CASE NO: \_\_\_\_\_  
JUDGE: \_\_\_\_\_

(Debtor)

CHAPTER: 13

**CHAPTER 13 PLAN AND MOTIONS**

- ☐ Original
- ☐ Modified/Notice Required
- ☐ Modified/No Notice Required

Date: \_\_\_\_\_

THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13  
OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate Notice of the Hearing on Confirmation Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED IN THE  
NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN THAT MAY BE  
CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

1. **PAYMENT AND LENGTH OF PLAN**

a. The Debtor shall pay \$610.00 per month \_\_\_\_\_ to the Chapter 13 Trustee, starting on \_\_\_\_\_ for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

- ☐ Future Earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available)  
\_\_\_\_\_
- ☐ Sale or refinance of the following assets on or before \_\_\_\_\_

2. **PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
<b><u>Peter E. Zimnis</u></b>	<b><u>Administrative</u></b>	<b><u>\$1,044.00</u></b>
<b><u>Michael Kaplan</u></b>	<b><u>Administrative</u></b>	<b><u>\$1,449.00</u></b>

3. **SECURED CLAIMS**

a. **Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of debt	Arrearage	Interest Rate on arrearage	Amount to be Paid to Creditor (in Plan)	Regular monthly Payment (outside Plan)
Citifinacial	Residence	\$20,000.00		\$20,000.00	Monthly payments will continue. <b>The mailing of statement will not be considered a violation of the automatic stay</b>
Chevy Chase Bank		unknown		unknown	
Pemberton Twp		notice		notice	
Americredit	auto	current		current	

b. **Modification**

1) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b) (2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
Ford Motor Credit	1999 Mercury Sable (140,000 miles)	\$13,000.00	\$4,900.00	none	\$4,900.00	6%	\$5,340.00

2) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien

c. **Surrender**

Upon confirmation, the stay is terminated as to surrender collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be surrendered	Value of Surrendered collateral	Remaining unsecured debt

d. **Secure Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

4. **UNSECURED CLAIMS**

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ 0.00 to be distributed *pro rata*
- ☐ Not less than \_\_\_\_\_ percent
- ☐ Pro rata distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for separate classification	Treatment	Amount to be paid

5. **EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

All executory contracts and unexpired leases are rejected, **except** the following, which are **assumed**:

Creditor	Nature of contract or lease	Treatment by debtor

6. **MOTIONS**

**NOTE: All Plans including motions must be served  
Separately in accordance with D.N.J. LBR 3015-1**

- a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).** The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of collateral	Type of lien	Amount of lien	Value of collateral	Amount of claimed exemption	Sum of all other liens against property	Amount of lien to be avoided

- b. **Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured.** The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral with Part 3 above:

Creditor	Collateral	Amount of lien to be reclassified

- c. **Motion to Partially Void Liens and Reclassify Claims as Partially Secured and Partially Unsecured.** The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 3 above:

Creditor	Collateral	Amount to be deemed secured	Amount to be reclassified as unsecured

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7. **OTHER PLAN PROVISIONS**

a. **Vesting of Property of the Estate** Property of the Estate shall revert in the Debtor:

X Upon Confirmation

☐ Upon Discharge

b. **Payment Notices** Creditors and Lessors provided for in Section 3, 5, or 6 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. **Order of Distribution** The Trustee shall pay allowed claims on the following order:

- 1) Administrative claims
- 2) Secured claims
- 3) Priority claims
- 4) General Unsecured claims

d. **Post-petition Claims** The Trustee ☐ is ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount by the post-petition claimant

\_\_\_\_\_  
Date

Law Office of Peter E. Zimnis  
Attorneys for Debtor

/s/ John A. Zimnis

I hereby certify that the factual statements included in this plan are true. I am aware that if any of the factual statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

/s/ Elaine Steele

Debtor

\_\_\_\_\_  
Date

/s/  
Joint Debtor (if any)